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8 **UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,  
10  
Plaintiff,

11 v.

12 ANTONIO ROMERO ROJAS,  
13  
aka "Antonio Rojas-Romero,"  
14 aka "Antonia Romero,"  
15 aka "Antonio Rojas,"  
16 Defendant.

Case No. 2:24-mj-00015-EJY

**Stipulation to Extend Deadlines  
to Conduct Preliminary  
Hearing and File Indictment  
(Third Request)**

17 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M.  
18 Frierson, United States Attorney, and Justin Washburne, Assistant United States  
19 Attorney, counsel for the United States of America, and Jacquelyn N. Witt, Assistant  
20 Federal Public Defender, counsel for Defendant Antonio Romero Rojas, that the  
21 preliminary hearing currently scheduled on May 21, 2024 at 4:00 p.m. be vacated  
22 and continued to a date and time convenient to the Court, but no sooner than  
23 fourteen (14) days.  
24

1 This stipulation is entered into for the following reasons:

2 1. The United States Attorney's Office has developed an early disposition  
3 program for immigration cases, authorized by the Attorney General pursuant to the  
4 PROTECT ACT of 2003, Pub. L. 108-21.

5 2. The early disposition program for immigration cases is designed to: (1)  
6 reduce the number of hearings required in order to dispose of a criminal case; (2)  
7 avoid having more cases added to the court's trial calendar, while still discharging  
8 the government's duty to prosecute federal crimes; (3) reduce the amount of time  
9 between complaint and sentencing; and (4) avoid adding significant time to the  
10 grand jury calendar to seek indictments in immigration cases, which in turn reduces  
11 court costs.

12 3. The government has made a plea offer in this case that requires  
13 defendant to waive specific rights and hearings in exchange for "fast-track"  
14 downward departure under USSG § 5K3.1. This offer will be withdrawn if it is not  
15 timely accepted before this matter is indicted and before a preliminary hearing is  
16 held.

17 4. Under Federal Rule of Criminal Procedure 5.1(c), the Court "must hold  
18 the preliminary hearing within a reasonable time, but no later than 14 days after  
19 the initial appearance if the defendant is in custody . . . ."

20 5. However, under Rule 5.1(d), "[w]ith the defendant's consent and upon  
21 a showing of good cause—taking into account the public interest in the prompt  
22 disposition of criminal cases—a magistrate judge may extend the time limits in Rule  
23 5.1(c) one or more times . . . ."  
24

1           6.       Furthermore, under the Speedy Trial Act, 18 U.S.C. § 3161(b), “[a]ny  
2 information or indictment charging an individual with the commission of an offense  
3 shall be filed within thirty days from the date on which such individual was arrested  
4 or served with a summons in connection with such charges.”

5           7.       Defendant has entered into a “fast-track” disposition and the plea and  
6 sentencing hearing is scheduled on May 29, 2024, before Judge Gloria M. Navarro.  
7 After final disposition the preliminary hearing will be vacated, if the Court deems  
8 necessary.

9           8.       Accordingly, the parties jointly request that the Court schedule the  
10 preliminary hearing in this case no sooner than fourteen (14) days from today’s date  
11 to allow Mr. Romero-Rojas to be sentenced in this matter.

12           9.       Defendant is in custody and agrees with the extension of the 14-day  
13 deadline imposed by Rule 5.1(c) and waives any right to remedies under Rule 5.1(c)  
14 or 18 U.S.C. § 3161(b), provided that the information or indictment is filed on or  
15 before the date ordered pursuant to this stipulation.

16           10.      The parties agree to the extension of that deadline.

17           11.      This extension supports the public interest in the prompt disposition of  
18 criminal cases by permitting defendant to consider entering into a plea agreement  
19 under the United States Attorney’s Office’s fast-track program for § 1326  
20 defendants.

21           12.      Accordingly, the additional time requested by this stipulation is  
22 allowed under Federal Rule of Criminal Procedure 5.1(d).  
23  
24



UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANTONIO ROMERO ROJAS,  
aka "Antonio Rojas-Romero,"  
aka "Antonia Romero,"  
aka "Antonio Rojas,"

Defendant.

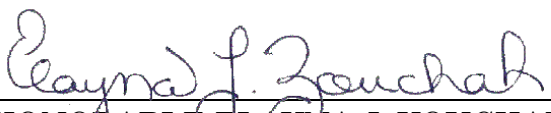
Case No. 2:24-mj-00015-EJY

~~[Proposed]~~ Order on Stipulation to  
Extend Deadlines to Conduct  
Preliminary Hearing and File  
Indictment

Based on the stipulation of counsel, good cause appearing,

IT IS THEREFORE ORDERED that the preliminary hearing currently  
scheduled on May 21, 2024 at the hour of 4:00 p.m., be vacated and continued to  
June 5, 2024 at the hour of 4:00 p.m. in Courtroom 3D.

DATED this 15th day of May, 2024.

  
HONORABLE ELAYNA J. YOUCHAH  
UNITED STATES MAGISTRATE JUDGE